

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION**

United States of America,)
)
Plaintiff,) **ORDER**
)
vs.)
)
Monique Azure,) Case No. 2:08-mj-061
)
Defendant.)

The Defendant made her initial appearance before Magistrate Judge Alice R. Senechal in the case at bar on August 11, 2008. There, the Government moved to detain the Defendant and requested that the detention hearing be continued for a period of up to three days. Finding good cause for granting such a continuance, Magistrate Judge Senechal ordered the Defendant detained pending a hearing on August 15, 2008.

The court convened a combined preliminary hearing and detention hearing in the above-entitled action on August 15, 2008. AUSA Chris Myers appeared on the Government's behalf. Attorney Lee Finstad appeared on the Defendant's behalf. At the outset of the hearing the Government moved for a continuance of the preliminary hearing until August 21, 2008, which the court **GRANTED** over the Defendant's objection. After consulting with defense counsel, the Defendant subsequently requested that the court also continue the detention hearing until August 21, 2008. The Government did not object.

Title 18 of the United States Code, Section 3142(f)(2) provides the following in relevant part:

[A detention] hearing "shall be held immediately upon the person's first appearance before the judicial officer unless that person, or the attorney for the Government

seeks a continuance. Except for good cause show a continuance on motion of such person may not exceed five days (not including any intermediate Saturday, Sunday, or legal holiday), and a continuance on motion of the attorney for the Government may not exceed three days (not including any intermediate Saturday, Sunday, or legal holiday.”

18 U.S.C. § 3142(f)(2). The court has inquired of the Defendant and is satisfied that her request for a continuance in excess of the five days provided by statute was made knowingly and intelligently, freely and voluntarily, and with the advice of counsel. There being no objection from the Government, the court **GRANTS** the Defendant’s request. The Defendant’s preliminary hearing and detention hearing shall be rescheduled for August 21, 2008, at 1:30 p.m. in Grand Forks, North Dakota, before Magistrate Judge Senechal.

IT IS SO ORDERED.

Dated this 15th day of August, 2008.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court